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SHERIDAN ROSS PC
1560 BROADWAY
SUITE 1200
DENVER, CO 80202

EXAMINER	
ZHOU, TING	
ART UNIT	**PAPER NUMBER**
2173	5

DATE MAILED: 03/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/910,310	CHRISTOPHER, TERESA MICHELLE	
	Examiner	Art Unit	
	Ting Zhou	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-30 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-30 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☑ The drawing(s) filed on 7/12/01 is/are: a)☑ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

BA HUYNH
PRIMARY EXAMINER

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 2, 3
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

1. Claims 27-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Marshall et al. U.S. 2002/0097259 A1.

Referring to claim 27, Marshall et al. teach a server computer apparatus for providing a graphical depiction of events in response to user selection comprising a processor, a network interface, and a storage device (database for storing memories material) (page 2, paragraphs 0023-0024 and Figure 1B), wherein a plurality of background templates and a plurality of

images are stored, where in response to a selection of one of the plurality of background templates, a plurality of image positions are made available for editing, and wherein a selected image may be associated with each of the image positions (placing images in various positions within the graphical depiction of events) (page 3, paragraph 0030 and page 4, paragraph 0036). This is further shown in Figures 7, 8 and 10.

Referring to claim 28, Marshall et al. teach the first set of graphical images corresponds to the first selected theme, as recited in page 4, paragraph 0036.

Referring to claim 29, Marshall et al. teach the first theme selected from numerous categories including growing up (shown by themes "who we are today" in Figure 7 and "Clark's Birthday" and "Clair's Birthday" in Figure 9), future (shown by the theme "millennium year" in Figure 7), etc.

Referring to claim 30, Marshall et al. teach a second set of graphical images received at the network interface and placed in memory and storage, and wherein the second set of images corresponds to a second selected theme (page 4, paragraph 0036). This is further shown in Figures 7 and 9, where images are associated with a plurality of memory product themes (reference characters "901A" – "901H").

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are

such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-22 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Marshall et al. U.S. 2002/0097259 A1, in view of Sidwell, "Using Personal Histories on a Life-Map".

Referring to claim 1, Marshall et al. teach a method for providing a graphical depiction of events (displaying memories depicting a story), as recited in lines 3-7 of the Abstract. Specifically, Marshall et al. teach providing a plurality of images to a user for selection (image library shown by reference characters "507" in Figure 5), receiving from the user a selection of a first image (selecting events shown by reference character 406 in Figure 4), receiving from the user a selection of a second image, and displaying the first and second images, as recited on page 2, paragraph 18, page 3, paragraph 30, and page 6, paragraphs 55-56. This is further shown in Figure 10. However, Marshall et al. fail to teach the first and second images juxtaposed along a path to form the graphical depiction of events. Sidwell teaches a method for graphically displaying significant events similar to that of Marshall et al. In addition, Sidwell further teaches the images juxtaposed along a path (life map) to form the graphical depiction of events, as recited in the second paragraph and further shown in Figure 4. It would have been obvious to one of ordinary skill in the art, having the teachings of Marshall et al. and Sidwell before him at the time the invention was made, to modify the graphical depiction of events of Marshall et al. to include positioning the images along a path, as taught by Sidwell. One would have been motivated to make such a combination in order to give users a realistic visual view of the relationship between events.

Referring to claim 14, Marshall et al. teach a method for providing a graphical depiction of events (displaying memories depicting a story), as recited in lines 3-7 of the Abstract. Specifically, Marshall et al. teach providing a theme (topic) selector input on a display screen (Figures 4 and 8), providing an image selector input on the display screen, wherein images for selection correspond to a selected theme, providing a text receiving input, wherein text may be provided by a user (captions for images), as shown in Figures 7, 8 and 12. However, Marshall et al. fail to teach displaying a selected image and provided text along a path, wherein a plurality of selected images and provided text are positioned along the path. Sidwell teaches a method for graphically displaying significant events similar to that of Marshall et al. In addition, Sidwell further teaches displaying a selected image and provided text along a path, wherein a plurality of selected images and provided text are positioned along the path, as recited in the second paragraph and shown in Figure 4. It would have been obvious to one of ordinary skill in the art, having the teachings of Marshall et al. and Sidwell before him at the time the invention was made, to modify the graphical depiction of events of Marshall et al. to include the path taught by Sidwell. One would have been motivated to make such a combination in order to give users a realistic visual view of the relationship between events.

Referring to claim 18, Marshall et al. teach a system for providing a graphical depiction of events comprising a client computer under control of a user comprising a processor, a user display and a network interconnection, a communication network interconnected to the network interconnection of the client computer (page 2, paragraph 0021). Marshall et al. further teach the system comprising a server computer comprising a processor; a network interconnection interconnected to the communication network wherein the server computer is in communication

with the client computer; data storage (page 2, paragraph 0023-0024), wherein data on the data storage comprises a plurality of background templates and graphical images (Figure 7); a server executable program, wherein the server executable program is operable to provide the client computer with information for display on the user display comprising a first menu for selection of one of a plurality of background templates (styles) wherein is provided locations at which an image can be placed, a second menu for selection of one of a plurality of event themes (topics), and a third menu for selection of one of a plurality of images associated with the selected event theme, wherein a user can construct a graphical depiction of events by selecting one of the plurality of locations on the background template providing a plurality of locations by making a selection from the second menu of an event theme and by making a selection from the third menu after making a selection from the second menu (page 3, paragraphs 0031-0033, page 4, paragraph 0036 and further shown in Figures 7 and 8). However, Marshall et al. fail to teach the background templates comprising a path. Sidwell teaches a method for graphically displaying significant events similar to that of Marshall et al. In addition, Sidwell further teaches selection of paths providing locations at which an image can be positioned (second paragraph and Figure 4). It would have been obvious to one of ordinary skill in the art, having the teachings of Marshall et al. and Sidwell before him at the time the invention was made, to modify the graphical depiction of events of Marshall et al. to include the path taught by Sidwell. One would have been motivated to make such a combination in order to give users a realistic visual view of the relationship between events.

Referring to claims 2 and 15, Marshall et al. teach all of the limitations as applied to claim 2 above. Specifically, Marshall et al. teach providing a plurality of themes for the images

to be placed on to the user for selection, as shown in Figures 7 and 9. However, Marshall et al. fail to teach providing a plurality of paths to the user for selection and receiving from the user a selection of a path, wherein the first and second images are juxtaposed along the selected path to form the graphical depiction of events. Sidwell teaches a method for graphically displaying significant events similar to that of Marshall et al. In addition, Sidwell further teaches providing a plurality of paths (on the life map) for user selection, wherein the first and second images are juxtaposed along the selected path to form the graphical depiction of events (as can be seen from Figure 6, the life map can be represented by a plurality of different paths and images are pasted on chosen paths). It would have been obvious to one of ordinary skill in the art, having the teachings of Marshall et al. and Sidwell before him at the time the invention was made, to modify the graphical depiction of events of Marshall et al. to include the plurality of paths taught by Sidwell. It would have been advantageous for one to utilize such a combination in order to give users the opportunity to choose how they want the display to look, ensuring more customer satisfaction with the final product.

Referring to claim 3, Marshall et al. teach receiving from a user a textual description (captions for the images) of a first event with the first image, associating the first image with the textual description of the first event, receiving from a user a textual description of a second event, associating the second image with the textual description of the second event, displaying the textual description of the first event and associated first image, and displaying the textual description of the second event and the associated second image (as shown by reference characters 1004A, 1004B, 1005A and 1005B in Figure 10). However, Marshall et al. fail to teach the textual description of the first event and the associated first image and the textual

description of the second event and the associated second image are linearly juxtaposed along a path to form the graphical depiction of events. Sidwell teaches a method for graphically displaying significant events similar to that of Marshall et al. In addition, Sidwell further teaches displaying the textual description of the first event and the associated first image and the textual description of the second event and the associated second image linearly juxtaposed along a path to form the graphical depiction of events, as recited in the third paragraph and shown in Figure 8. It would have been obvious to one of ordinary skill in the art, having the teachings of Marshall et al. and Sidwell before him at the time the invention was made, to modify the graphical depiction of events of Marshall et al. to include the display of the images and their textual descriptions along a path. One would have been motivated to make such a combination in order to give users a visual indication of the nature of the event and the relationship between events.

Referring to claims 4 and 16, Marshall et al. teach receiving from the user a selection of a first theme for the graphical depiction of events, wherein the first image is selected from the first set of images, and wherein the first set of images includes images corresponding to the selected theme, as recited in page 4, paragraph 36 and further shown in Figures 7 and 9.

Referring to claim 5, Marshall et al. teach the first theme selected from numerous categories including growing up (shown by "who we are today" in Figure 7 and "Clark's Birthday" and "Clair's Birthday" in Figure 9), future (shown by "millennium year" in Figure 7), etc.

Referring to claims 6 and 20, Marshall et al. teach storing the graphical depiction of events as a graphic file (storing graphics memory material) (page 2, paragraph 0018 and page 3,

paragraph 0030) on a storage device (the database of memory materials shown by reference character "134" in Figure 1B).

Referring to claims 7 and 19, Marshall et al. teach outputting the graphic file to a printer (outputting graphic files such as e-cards to the printer shown by reference character "P1" in Figure 1A), as recited in page 3, paragraph 0024.

Referring to claim 8, Marshall et al. teach printing the graphic files outputted to the printer, as recited in page 3, paragraph 0024. Although Marshall et al. does not explicitly teach an unlimited number of copies can be output to the printer, it is obvious to one of ordinary skill in the art that a printer can print any number of copies, whether it be one, two, or an unlimited amount.

Referring to claim 9, Marshall et al. teach the textual descriptions and associated images of the graphical depiction of events may not be revised by the user after a final version of the graphical depiction of events has been purchased by the user, as shown in Figure 3, where the user reviews and edits the graphical depiction of events in step "309" and the purchasing of the final version of the graphical depiction of events is the last step.

Referring to claim 10, Marshall et al. teach the graphical depiction of events (virtual memories) stored on a server as a file comprising a template (page 2, paragraph 0017 and 0023), at least a first reference to the first image and at least a second reference to the second image (as shown by the reference to the plurality of images in Figure 10).

Referring to claim 11, Marshall et al. teach at least a first reference to the first image and at least a second reference to a second image comprising universal resource locators. Marshall et al. teach the method of graphical depiction of events using images implemented through the

Internet on a website. Therefore, references to images would be accessed through links (including universal resource locators) to the database where they are stored (page 8, paragraph 0070).

Referring to claim 12, Marshall et al. teach all of the limitations as applied to the claims above. Specifically, Marshall et al. teach receiving from the user a textual description of a third event, receiving from the user a selection of a third image and associating the third image with the textual description of the third event, as shown in Figures 8 and 10. However, Marshall et al. fail to teach the first event and associated first image and second event and associated second image positioned along a first branch of the path, and the third event positioned along a second branch of the path, wherein the first and second branches of the path are parallel to one another. Sidwell teaches a method for graphically displaying significant events similar to that of Marshall et al. In addition, Sidwell further teaches, in Figure 4, the first event and associated first image (for example, "Loan Hospital") and the second event and associated second image (for example, "Yellowstone") positioned along a first branch of the path, and the third event (for example, "Zions") positioned along a second branch of the path, wherein the first and second branches of the path are parallel to one another. It would have been obvious to one of ordinary skill in the art, having the teachings of Marshall et al. and Sidwell before him at the time the invention was made, to modify the graphical depiction of events of Marshall et al. to include the branches of the paths, as taught by Sidwell. It would have been advantageous for one to utilize such a combination in order to give users a visual indication of the nature of the events and the relationships between events.

Referring to claims 13, 17 and 21, while Marshall et al. teach all of the limitations as applied to the claims above, they fail to teach a path displayed as at least one of a road, railroad tracks, a river, a sidewalk and a foot path. Sidwell teaches a method for graphically displaying significant events similar to that of Marshall et al. In addition, Sidwell further teaches displaying the path as a road, a river, etc., as shown in Figure 5. It would have been obvious to one of ordinary skill in the art, having the teachings of Marshall et al. and Sidwell before him at the time the invention was made, to modify the graphical depiction of events of Marshall et al. to include the paths taught by Sidwell. One would have been motivated to make such a combination in order to give users a realistic visual view of the relationship between events.

Referring to claim 22, Marshall et al. teach a method of providing a story map using a server computer, comprising providing a server computer comprising a processor, a network interface and at least a first storage device (page 2, paragraph 0023-0024); interconnecting the server computer to a user computer, wherein the server may be placed in communication with a client computer (page 2, paragraph 0021); storing a plurality of images on the first storage device; storing a plurality of report templates (styles) on the storage device, wherein the templates comprise a plurality of background templates, wherein a plurality of positions at which a selected images may be placed, and a plurality of positions at which specified text (captions) can be placed, a plurality of themes, wherein image are associated with at least one of the themes; in response to receiving a selection of one of the background templates, providing to the network interface information required to display the selected background template, in response to receiving a selection of a theme, providing to the network interface information required to display a plurality of images associated with the selected template, and in response to receiving a

selection of an image, positioning the image at a location, wherein a story map is created (page 3, paragraphs 0031-0033, page 4, paragraph 0036 and further shown in Figures 7 and 8). However, Marshall et al. fail to teach the background templates comprising a path. Sidwell teaches a method for graphically displaying significant events similar to that of Marshall et al. In addition, Sidwell further teaches selection of paths providing locations at which an image can be positioned, wherein a story map (life map) is created (second paragraph and Figure 4). It would have been obvious to one of ordinary skill in the art, having the teachings of Marshall et al. and Sidwell before him at the time the invention was made, to modify the graphical depiction of events of Marshall et al. to include the path taught by Sidwell. One would have been motivated to make such a combination in order to give users a realistic visual view of the relationship between events.

Referring to claim 26, Marshall et al. teach the server computer not providing an executable file to the client computer (page 3, paragraph 0025).

3. Claims 23-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Marshall et al. U.S. Publication 2002/0097259 A1 and Sidwell, "Using Personal Histories on a Life-Map", as applied to claim 22 above, and further in view of Shaffer et al. U.S. Patent 6,434,579.

Referring to claims 23, 24 and 25, Marshall et al. and Sidwell teach all of the limitations as applied to claim 22 above. However, they fail to teach providing information required to display images at a first resolution, information required to display images at a second, higher resolution, and information required to display the story map at a third, even higher resolution. Shaffer et al. teach a method of construction a graphical depiction of events, or story maps

(photo collages) using images, similar to that of Marshall et al. and Sidwell. In addition, Shaffer et al. further teach displaying images in different resolutions (sticker sheets containing low resolutions images and high resolution images associated with the sticker sheet images), as recited in column 1, lines 40-67 and column 2, lines 51-62. It would have been obvious to one of ordinary skill in the art, having the teachings of Marshall et al., Sidwell and Shaffer et al. before him at the time the invention was made, to modify the graphical depiction of events of Marshall et al. and Sidwell to include the display of images in different resolutions, as taught by Shaffer et al. It would have been advantageous for one to utilize such a combination in order to save storage space by displaying the images in appropriate resolutions as needed or desired by the user.

4. The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach similar methods and systems for displaying images to depict events.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ting Zhou whose telephone number is (703) 305-0328. The examiner can normally be reached on Monday - Friday 7:00am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (703) 308-3116. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

February 26, 2004

BA HUYNH
PRIMARY EXAMINER